

MELLINGER KARTZMAN LLC

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Morris Plains, New Jersey 07950

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Attorneys for Trustee, Steven P. Kartzman



Order Filed on February 6, 2020
by Clerk
U.S. Bankruptcy Court
District of New Jersey

In re:

**MICHAEL KALFUS AND ROBIN
KALFUS,**

Debtor.

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY**

Case No. 18-13396-VFP

Chapter 7

Honorable Vincent F. Papalia

**CONSENT ORDER EXTENDING THE STATUTE OF
LIMITATIONS UNDER BANKRUPTCY CODE SECTIONS 108, 546(a) AND 549(a)**

The relief set forth on the following pages numbered two (2) and three (3) is hereby

ORDERED.

DATED: February 6, 2020

A handwritten signature in black ink, appearing to read "Vincent F. Papalia".

**Honorable Vincent F. Papalia
United States Bankruptcy Judge**

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Debtor: Michael Kalfus and Robin Kalfus

Case No.: 18-13396-VFP

Caption: Consent Order Extending the Statutes of Limitations Under Bankruptcy Code Sections 108(a), 546(a) and 549(a) and Bankruptcy Rule 9006(b)(1)

This matter having been brought before the Court by Steven P. Kartzman, the Chapter 7 Trustee (the “Trustee”), by and through his attorneys Mellinger Kartzman, LLC, for the entry of a consent order extending the statutes of limitations under Bankruptcy Code Sections 108(a), 546(a) and 549(a) and Bankruptcy Rule 9006(b)(1), and the Trustee, having agreed to amicably resolve the issue of an extension of the statute of limitations on the terms set forth herein, as appears from the signatures of counsel affixed hereto, it is hereby

ORDERED AS FOLLOWS:

1. The statute of limitation under 11 U.S.C. § 108(a) shall be and is hereby extended to and including May 22, 2020.
2. The statute of limitations under 11 U.S.C. § 546(a) shall be and hereby is extended to and including May 22, 2020.
3. The statute of limitations under 11 U.S.C. § 549(a) shall be and hereby is extended to and including May 22, 2020.
4. Boston College shall not be entitled to raise a statute of limitations defense pursuant to 11 U.S.C. §§ 108, 546 or 549, in an action commenced by the Trustee against Boston College after February 21, 2020 and on or before May 22, 2020 unless that action would not have been timely if filed or initiated on or before February 21, 2020.
5. Entry of this Order is without prejudice to the Trustee’s right to seek further extensions of the statute of limitation under 11 U.S.C. §§ 108, 546 or 549 and without prejudice to Boston College’s rights to object to same.

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Debtor: Michael Kalfus and Robin Kalfus

Case No.: 18-13396-VFP

Caption: Consent Order Extending the Statutes of Limitations Under Bankruptcy Code Sections 108(a), 546(a) and 549(a) and Bankruptcy Rule 9006(b)(1)

6. Nothing in this Order shall be deemed to revive any claims that is or was already barred as of February 21, 2020. Nothing in this Order, or in the circumstances that gave rise to this Order, shall be construed as an acknowledgement by any party that any claim has or has not been barred, or is about to be barred, by a statute of limitations, laches, or other defense based on the lapse of time.

7. Counsel for the Trustee shall serve a copy of this Order upon all interested parties within five (5) days of the date of entry.

*The undersigned hereby consent to
the form and entry of the within Order:*

MELLINGER KARTZMAN LLC
*Attorneys for Steven P. Kartzman
Chapter 7 Trustee*

**BOSTON COLLEGE, OFFICE
OF THE GENERAL COUNSEL**
Attorneys for Boston College

By: /s/ Judah B. Loewenstein
JUDAH B. LOEWENSTEIN, ESQ.

By: /s/ Nora E. Field
NORA E. FIELD, ESQ.

Dated: February 5, 2020

Dated: February 4, 2020

In re:
Michael Kalfus
Robin Kalfus
Debtors

Case No. 18-13396-VFP
Chapter 7

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

Date Rcvd: Feb 07, 2020

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Feb 09, 2020.
db/jdb +Michael Kalfus, Robin Kalfus, 7 Lakeview Terrace, Montville, NJ 07045-9158

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Feb 09, 2020

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on February 7, 2020 at the address(es) listed below:

Anthony Sodono, III on behalf of Joint Debtor Robin Kalfus asodono@msbnj.com
 Anthony Sodono, III on behalf of Debtor Michael Kalfus asodono@msbnj.com
 Anthony Sodono, III on behalf of Defendant Michael Kalfus asodono@msbnj.com
 Anthony Sodono, III on behalf of Defendant Robin Kalfus asodono@msbnj.com
 Anthony Sodono, III on behalf of Defendant Michael and Robin Kalfus asodono@msbnj.com
 Caitlin Conklin on behalf of Creditor Lakeland Bank caitlin.conklin@klgates.com
 Charles G. Wohlrab on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE (CWALT 2005-J9) cwohlab@LOGS.com, njbankruptcynotifications@logs.com
 Charles Michael Rowan on behalf of Creditor Albert Kenney mrowan@saul.com
 Christian Del Toro on behalf of Creditor Haven Savings Bank cdelatoro@martonelaw.com, bky@martonelaw.com
 David Gerardi on behalf of U.S. Trustee U.S. Trustee david.gerardi@usdoj.gov
 Denise E. Carlon on behalf of Creditor VW Credit Leasing, Ltd dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
 Forrest Scott Turkish on behalf of Attorney Forrest Turkish fsturkish@aol.com
 Frank J Martone on behalf of Creditor Haven Savings Bank bky@martonelaw.com
 Guillermo Gonzalez on behalf of Joint Debtor Robin Kalfus ggonzalez@scuramealey.com, ecfbkfilings@scuramealey.com; mmack@scura.com; lrichard@scura.com; martinezcr93878@notify.bestcase.com; agouveia@scura.com
 Guillermo Gonzalez on behalf of Debtor Michael Kalfus ggonzalez@scuramealey.com, ecfbkfilings@scuramealey.com; mmack@scura.com; lrichard@scura.com; martinezcr93878@notify.bestcase.com; agouveia@scura.com
 John O'Boyle on behalf of Plaintiff Osborn Financial Group, LLC joboyale@norgaardfirm.com, sferreira@norgaardfirm.com; l84grandno@gmail.com; kcimmimo@norgaardfirm.com
 John A. Fialcowitz on behalf of Plaintiff Fishman consulting group, llc john.fialcowitzlaw.com
 Joseph L. Schwartz on behalf of Interested Party The County of Morris, Morris County Sheriff's Office jschwartz@riker.com
 Joseph R Zapata, Jr. on behalf of Trustee Steven P. Kartzman jzapata@msklaw.net
 Judah B Loewenstein on behalf of Trustee Steven P. Kartzman jloewenstein@msklaw.net
 Mark E. Hall on behalf of Mediator Mark Hall mhall@foxrothschild.com, cbrown@foxrothschild.com
 Matteo Percontino on behalf of Creditor Lakeland Bank matt.percontino@cohnreznick.com, matteo.percontino@klgates.com
 Melissa S DiCerbo on behalf of Creditor THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK, AS TRUSTEE (CWALT 2005-J9) nj-ecfmail@mw-c-law.com, nj-ecfmail@ecf.courtdrive.com
 Rebecca Ann Solarz on behalf of Creditor VW Credit Leasing, Ltd rsolarz@kmlawgroup.com
 Richard James Tracy, III on behalf of Creditor The Bank of New York Mellon, FKA The Bank of New York, as Trustee for the Certificateholders of Cwalt Alternative Loan Trust 2005-J9, Mortgage Pass-Through Certificates, Series 2005-J9 by its servicer rtracy@hillwallack.com, tshariff@schillerknapp.com; kcollins@schillerknapp.com; ahight@schillerknapp.com
 Steven P. Kartzman on behalf of Trustee Steven P. Kartzman kartztee@optonline.net, jzapata@msklaw.net; nj16@ecfbis.com; jloewenstein@msklaw.net

District/off: 0312-2

User: admin
Form ID: pdf903

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The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email)
system (continued)

Steven P. Kartzman kartztee@optonline.net,
jzapata@msklaw.net;njl6@ecfcbis.com;jloewenstein@msklaw.net
U.S. Trustee USTPRegion03.NE.ECF@usdoj.gov
William L. Waldman on behalf of Creditor Lakeland Bank william.waldman@klgates.com,
waldmanw@aol.com

TOTAL: 29